

FINAL

MARION CONSERVATION COMMISSION
MINUTES OF THE REGULAR MEETING HELD ON OCTOBER 9, 2013

Members Present: Norman A. Hills, Vice Chairman
Joel D. Hartley, Treasurer
Stephen C. Gonsalves, Clerk
Jeffrey J. Doubrava, Member

Members Absent: Lawrence B. Dorman, Chairman
Wendy L. Carreau, Associate

Secretary: Diane R. Drake

Others Present: Kenneth "Jake" Jacobsen, Ernest Yeaw, Douglas King and David Davignon

Meeting convened at 7:00 PM Wednesday, October 9, 2013 in the conference room of the Marion Town House, 2 Spring Street, Marion, Massachusetts. Site inspections were held on Saturday, October 5, 2013 by N. Hills and J. Doubrava, and on Wednesday, October 9, 2013 by S. Gonsalves. This meeting was audio recorded by Town of Marion staff.

7:00 PM MINUTES were reviewed. N. Hills moved to accept the September 25, 2013 minutes as written; S. Gonsalves seconded; voted unanimously.

7:03 PM THE KITTANSETT CLUB, 11 Point Road (File No. SE 041-1056) after-the-fact filing for temporarily stockpiling mulch and materials along the coastal bank by the driving range. The Kittansett Club had requested a three-year Extension Permit. a letter had been drafted and was further revised to explain that this Order of Conditions cannot be extended because the Order was only to document the temporary placement and removal of those materials. A Determination of Applicability had been issued to continue using that area for stockpiling materials, but Determinations are valid only for three years and cannot be extended. The Kittansett Club should have their engineer request a Certificate of Compliance for the Order, and submit a new Request for Determination of Applicability to continue using that area for materials storage and for burning. S. Gonsalves moved to send the letter as revised; J. Hartley seconded; voted unanimously.

TOWN OF MARION, Sprague's Cove Stormwater Remediation Project (File No. SE 041-556) – update. N. Hills said he met with Margie Baldwin of the Tree Committee regarding plantings for the site. S. Gonsalves wondered whether the Tree Committee might donate funds to have the phragmites treated again. N. Hills said there may be approximately \$1,000.00 left in the Conservation budget in June 2014 for another treatment.

7:10 PM KENNETH A. JACOBSEN, 30 Alden Road – Request for Determination of Applicability (File No. 41D-1518) to upgrade a septic system to Title 5 compliance. Kenneth

Jacobsen was present with his engineer, David Davignon of N. Douglas Schneider & Associates, Inc. The system needs to be updated before the property can be sold. There is a high water table which will require a raised leaching field. No variances will be required. The house is presently three bedrooms and the system upgrade will allow for a fourth bedroom. During the inspection it was noted that the wetland flags were missing and that there was a pipe draining a possible vernal pool. Subsequently Mr. Jacobsen notified N. Hills that the flags were rehung and the pipe removed. N. Hills moved to close the hearing; J. Hartley seconded; voted unanimously.

7:20 PM **DOUGLAS A. KING**, 5 Island Court, Planting Island – Request for Determination of Applicability (File No. 41D-1519) to replace the house's flat roof with a pitched roof, repair or replace rotted decks, and landscaping. Douglas A. King was present and said he put a new pitched roof on the building and new decks. He said the Building Commissioner told him to put a new sonotube foundation under the sun room because the existing footings only went down two feet instead of the required four feet. The dwelling is in the flood zone. When the building permit was issued in January Mr. King did not need to apply for a conservation permit because there was no change in footprint, but the sonotube foundation work and landscaping activities in the buffer zone to a coastal bank do require a conservation permit. J. Doubrava moved to close the hearing; S. Gonsalves seconded; voted unanimously.

ERNEST R. YEAW, 26 Doran Way, Dexter Beach – request for a Certificate of Compliance (File No. SE 041-1075) to construct a new dwelling. Ernest Yeaw was present to answer any questions the Commission might have. N. Hills said the roof drains discharge into gravel rather than a drywell, which is fine due to the high water table there. N. Hills suggested using two straps to secure the two fuel tanks, rather than one, in case of flooding. N. Hills moved to issue a full Certificate of Compliance; J. Hartley seconded; voted unanimously.

ANNE HATTON, 183 Front Street – request for a Certificate of Compliance (File No. SE 041-1185) to raze the existing garage and construct a new 24' x 30' garage with a 24.46' x 16' deck. It was noted that a patio is being built which is not shown on the plans. N. Hills moved to issue a full Certificate of Compliance; J. Hartley seconded; voted unanimously.

DOUGLAS A. KING, 5 Island Court, Planting Island (File No. 41D-1519) – J. Hartley moved to issue a Negative Determination for Boxes 2 and 3 for house renovations and landscaping; S. Gonsalves seconded; voted unanimously.

KENNETH A. JACOBSEN, 30 Alden Road (File No. 41D-1518) – N. Hills moved to issue a conditional Negative Determination for Box #3 (Buffer Zone project) with a condition to stop draining the potential vernal pool; J. Hartley seconded; voted unanimously.

Meeting adjourned at 7:48 PM.

Diane R. Drake, Secretary

Approved November 13, 2013